

Appl. No. 10/790,311
Amdt. Dated: September 12, 2006
Reply to Office Action of: March 13, 2006

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1-7. (Cancelled)

8. (Currently amended) A food waste disposer having a rotational source, comprising:

a rotatable member coupled to the rotational source; ~~and~~

an impact member comprising an elongated throughhole movably attached to

the rotatable member by fastening posts; and

a stationary plate disposed adjacent the rotatable member and defining a plurality of apertures therethrough,

wherein at least one first portion of the rotatable member shears over at least some of the apertures in the ~~first~~ stationary plate to shear the food waste, ~~and~~

wherein the elongated throughhole in the impact member allows the impact

member to slide and swivel relative to the rotatable member during

operation of the food waste disposer.

9. (Currently amended) The food waste disposer of claim 8, wherein the ~~apertures define an open area~~ **sum of the open areas of the apertures** in the stationary plate ~~of is~~ approximately 1/3 of a **the total** surface area of the stationary plate.

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10. (Original) The food waste disposer of claim 8, wherein the rotatable member comprises a rotatable plate having a central portion attached to the rotational source.
11. (Original) The food waste disposer of claim 10, wherein the rotatable plate and the stationary plate are situated on a plane.
12. (Original) The food waste disposer of claim 10, wherein the stationary plate has a central opening in which the rotatable plate is positioned for rotation.
13. (Currently amended) The food waste disposer of claim ~~[11]~~ 12, wherein the stationary plate further comprises a plurality of teeth around the central opening forming additional apertures about the rotatable plate.
14. (Original) The food waste disposer of claim 10, wherein the at least one first portion of the rotatable plate comprises an impact member having a surface or edge sliding on the stationary plate and passing adjacent the apertures in the stationary plate.
15. (Original) The food waste disposer of claim 14, wherein the impact member comprises a lug fixedly or movably attached to the rotatable plate.

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16. (Original) The food waste disposer of claim 10, wherein the at least one first portion of the rotatable plate shears over the apertures in the first stationary plate by passing at a separation distance of about 0 to 2 millimeters above the apertures.
17. (Withdrawn) The food waste disposer of claim 8, wherein the rotatable member comprises an impeller coupled to the rotational source.
18. (Withdrawn) The food waste disposer of claim 17, wherein the at least one first portion of the impeller comprises an impacted member on the impeller having a surface or edge sliding on the stationary plate and passing over at least some of the apertures in the stationary plate.
19. (Withdrawn) The food waste disposer of claim 18, wherein the impact member comprises a lug fixedly attached to the impeller.
20. (Withdrawn) The food waste disposer of claim 18, wherein the impact member comprises a lug movably attached to the impeller.
21. (Withdrawn) The food waste disposer of claim 17, wherein the at least one first portion of the impeller further comprises at least one wing of the impeller having a surface or edge sliding in the stationary plate and passing over at least some of the apertures in the

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stationary phase.

22. (Original) The food waste disposer of claim 8, further comprising a stationary ring having an inner wall disposed about the stationary plate, wherein at least a second portion of the rotatable member passes adjacent the inner wall for grinding food waste during operation.
23. (Original) The food waste disposer of claim 22, wherein the stationary ring comprises a plurality of teeth formed on the inner wall.
24. (Original) The food waste disposer of claim 22, wherein the at least one second portion of the rotatable member comprises an impact member on the rotatable member having an end for passing adjacent the inner wall.
25. (Original) The food waste disposer of claim 24, wherein the impact member comprises a lug fixedly attached to the rotatable member.
26. (Original) The food waste disposer of claim 24, wherein the impact member comprises a lug movably attached to the rotatable member.

27-106. (Cancelled)

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107. (New) The food waste disposer of claim 8, wherein the impact member further comprises a bottom surface or edge sliding on or near the surface of the stationary plate and passing over at least some of the apertures in the stationary plate.
108. (New) The food waste disposer of claim 8, wherein the impact member is forged, cast, or machined.